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SAN FRANCISCO TAXI COALITION, *et al.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO TAXI COALITION, *et al.*,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN FRANCISCO,
et al.,

Defendants.

CASE NO. 3:19-CV-01972-WHA

**SUPPLEMENTAL REQUEST FOR
JUDICIAL NOTICE IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

Hearing Date: May 30, 2019

Judge: Hon. William Alsup

Plaintiffs San Francisco Taxi Coalition, Patrick O'Sullivan, Sai Lee, George Horbal, Alliance Cab and S.F. Town Taxi Inc. ("Plaintiffs"), in support of their motion for a preliminary injunction (Dkt. 19) (the "Motion") hereby respectfully request that the Court take judicial notice, pursuant to Rule 201 of the Federal Rules of Evidence, of the email from the SFMTA which was sent to SF Taxi Industry Members, which is attached hereto as Exhibit A, as well as

1 the report issued by the SFMTA staff to its board, dated May 30, 2019. The email dated May
2 31, 2019, and the SFMTA report upon which it was based, were released following the May
3 30th hearing on Plaintiffs' Motion. Plaintiffs note the conclusions of Policy Goal 2, as described
4 in the email summarizing the report, which describes a 16% decrease in the number of taxi trips
5 in the City of San Francisco.

6 1) Exhibit A – email from SFMTA Municipal Transportation Agency to Nathan
7 Dwiri, a member of SF Taxi Industry.

8 2) Exhibit B – May 30, 2019 Memo from Kate Toran, SFMTA staff, to SFMTA
9 Board of Directors, through Ed Reiskin, Director of Transportation, subject: “Quarterly Report
10 on Taxi Medallion Rules at San Francisco International Airport: February – April 2019.” Only
11 pages 1 and 7 of the Report are attached as Exhibit B, but the entire report is available publicly
12 on the SFMTA website here:
13 [https://content.govdelivery.com/attachments/CASFMTA/2019/05/31/file_attachments/1](https://content.govdelivery.com/attachments/CASFMTA/2019/05/31/file_attachments/1222273/Final%2090%20Day%20Taxi%20Report_February%20through%20April%202019%20signed.pdf)
14 [222273/Final%2090%20Day%20Taxi%20Report_February%20through%20April%2020](https://content.govdelivery.com/attachments/CASFMTA/2019/05/31/file_attachments/1222273/Final%2090%20Day%20Taxi%20Report_February%20through%20April%202019%20signed.pdf)
15 [19%20signed.pdf](https://content.govdelivery.com/attachments/CASFMTA/2019/05/31/file_attachments/1222273/Final%2090%20Day%20Taxi%20Report_February%20through%20April%202019%20signed.pdf)

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17 Dated: June 3, 2019

BRUNETTI ROUGEAU LLP

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19 By /s/ Kenneth A. Brunetti
20 Kenneth A. Brunetti
21 Attorneys for Plaintiffs
22 SAN FRANCISCO TAXI COALITION, *et*
23 *al.*
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EXHIBIT A

From: SFMTA Municipal Transportation Agency <sfmta@public.govdelivery.com>
To: "namik530@yahoo.com" <namik530@yahoo.com>
Sent: Friday, May 31, 2019, 11:11:02 AM PDT
Subject: SFMTA Taxi Quarterly Report re: SFO

Dear San Francisco Taxi Industry Members:

Attached please find a copy of the first Quarterly report to the MTA Board regarding the new taxi pick-up rules at San Francisco International Airport. Below is a brief, high-level summary.

If you have questions, please send them to SFTaxi@sfmta.com

Goals:

1. **Support Purchased Medallions**
 1. Purchase medallion holders have invested the most, yet earn the least
2. **Reverse the trend of a declining taxi supply to San Francisco.**
 1. Instead of waiting for two to three hours in line, drivers could serve SF
3. **Increase wheelchair accessible ramp taxi pick-ups.**
 1. Ramp taxi trips are the hardest to serve and have seen the biggest decline

Policy Goal 1: Support Purchased Medallions

Metric 1: Goal of 10% reduction in wait times for SFO Purchased Medallion Holders

RESULT: Prior to the reforms the average wait time at SFO for all Purchased medallion taxicabs was 98 minutes. The current average is now 72 minutes, a savings of an average of 26 minutes each time a Purchased medallion enters the SFO taxi lot to perform a pickup. ***This represents a 27% decrease in wait times for Purchased medallions.***

Metric 2: Goal of 10% increase in trips for Purchased medallions originating at SFO

RESULT: *Purchased medallions provided 136% more pick-ups at SFO than provided during the same time period for the prior year.*

Metric 3: Goal of 10% increase in avg monthly fare revenue for Purchased medallion holders.

RESULT: *Average fare revenue for Purchased Medallions increased 41%.*

Policy Goal 2: Reverse the trend of a declining taxi supply in San Francisco

Metric 4: Goal of 5% increase in number of taxi trips originating in San Francisco proper.

RESULT: *The data shows that taxi trips in San Francisco Proper have declined approximately 16%. To reverse this trend, the SFMTA has been: reducing fees, expanding ramp taxi incentives, taking advantage of green taxi rebates for drivers and providing transit only lane access, proving more taxi stands and taking steps to implement a digital queue so drivers don't have to wait in line as long at SFO.*

Policy Goal 3. Increase ramp taxi wheelchair pick-ups

Metric 5: Goal of 10% increase in accessible ramp taxi pick-ups thru incentives and policies

RESULT: *Paratransit Ramp taxi wheelchair pick-ups increased 20% and overall ramp taxi trips, including general public wheelchair trips, increased 38%.*




Update

EXHIBIT B



DATE: May 30, 2019

TO: SFMTA Board of Directors
Malcolm Heinicke, Chair
Gwyneth Borden, Vice Chair
Cheryl Brinkman, Director
Amanda Eaken, Director
Cristina Rubke, Director
Art Torres, Director

THROUGH: Edward D. Reiskin 
Director of Transportation

FROM: Kate Toran 
Director of Taxis and Accessible Services

SUBJECT: Quarterly Report on Taxi Medallion Rules at San Francisco
International Airport: February – April 2019

Introduction

The San Francisco Municipal Transportation Agency (SFMTA) is engaged in an on-going effort to update taxicab regulations to ensure a high standard of public safety and customer service while modernizing requirements to better allow innovation and competition. In particular, taxicab medallion reform is critical because the taxi industry has experienced a notable decrease in demand since 2015, as is the case nationally. This decrease is generally attributed to the rise of Transportation Network Companies (TNCs) and the ability of TNC drivers to operate for-hire vehicles commercially without a medallion and with little regulation.

The most recent taxi industry regulatory reforms were approved by the San Francisco Municipal Transportation Agency Board (SFMTA) in October 2018, and included the delegation of authority to the Director of Transportation to impose restrictions on the types of medallions that are authorized to provide a taxicab trip originating at San Francisco International Airport (SFO). As a condition of this delegation of authority, the Board required a report prior to the implementation of the new SFO rules (attached as Appendix A), and quarterly reports thereafter to track progress in meeting the policy goals. The new SFO rules were implemented on February 1, 2019, and this is the first quarterly report analyzing the effectiveness of the new SFO rules.

**Policy Goal 2. Bring more taxi supply to San Francisco**Metric 4: Goal of 5% increase in number of taxi trips originating in San Francisco proper.**Result: Taxi supply in San Francisco Proper is estimated to have decreased approximately 16%.**

Due to significant data quality issues, this metric has been challenging to analyze and has been estimated based on a sample representing 63% of the taxi fleet. Data quality issues are enumerated in Appendix C and include the following:

- All dispatch companies are required to submit trip and telemetry data to the SFMTA, but only four of the seven dispatch companies have provided a significant amount of data for analysis, representing 63% of the taxi fleet.
- All dispatch companies have received citations for failure to comply with the data reporting requirement. Citations will be dismissed when the required data has been provided.
- The data transmitted to the SFMTA contain a large amount of data that do not appear to be valid trip or activity records, and inconsistencies vary across different dispatch companies.

Based on the sample, the data show that taxi trips in San Francisco Proper have declined approximately 16%, if staff extrapolates from the sample to the full universe of all trips.

Taxi Trips Originating in San Francisco Proper